

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2010-248-T - ORDER NO. 2013-292  
MAY 14, 2013

IN RE: Application of Mary W. Duncan d/b/a First	)	ORDER GRANTING
Choice Transportation for a Class C (Non-	)	REINSTATEMENT OF
Emergency) Certificate of Public	)	CERTIFICATE
Convenience and Necessity	)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by Mary W. Duncan d/b/a First Choice Transportation (the “Applicant”) to reinstate the Applicant’s Class C Non-Emergency Certificate of Public Convenience and Necessity No. 8310 issued to the Applicant pursuant to Commission Order No. 2010-534, dated August 10, 2010.

On July 24, 2012, a Petition for a Rule to Show Cause<sup>1</sup> was filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to file 2011 annual reports and thereby failing to comply with the statutes governing operations of motor vehicle carriers in South Carolina. The record reflects that the Applicant was listed in and served with the Rule to Show Cause for failure to file an annual report.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on November 7, 2012. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including the Applicant, should be revoked and cancelled for the

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<sup>1</sup> See Docket No. 2012-294-T.

violation of failing to file annual reports. Accordingly, the Commission issued Order No. 2012-871, which cancelled the Applicant's Certificate No. 8310.

By request filed April 23, 2013, the Applicant requests that the Certificate in question be reinstated. The original Application for certification of Mary W. Duncan d/b/a First Choice Transportation provides documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and, after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

1. That Class C Non-Emergency Certificate of Public Convenience and Necessity No. 8310 of Mary W. Duncan d/b/a First Choice Transportation be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

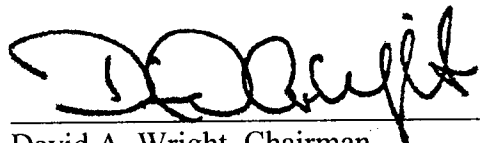
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3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
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David A. Wright, Chairman

ATTEST:

  
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Randy Mitchell, Vice Chairman  
(SEAL)